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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/500,287	06/29/2004	Shinichi Sasaki	042424	5209
38834	7590	03/20/2006	EXAMINER	
WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP 1250 CONNECTICUT AVENUE, NW SUITE 700 WASHINGTON, DC 20036			CHEN, WEN YING PATTY	
			ART UNIT	PAPER NUMBER
			2871	

DATE MAILED: 03/20/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

### Period for Reply

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.

- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.

- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 30 December 2005.  
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1,2,4-10 and 12-15 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,2,4-10 and 12-15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 June 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Response to Amendment*

Applicant's Amendment filed Dec. 30, 2005 has been received and entered. Claims 3 and 11 are cancelled per the Amendment filed. Therefore, claims 1-2, 4-10 and 12-15 are now pending in the current application.

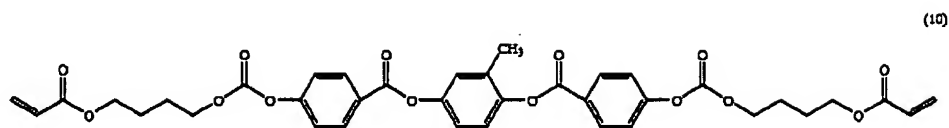
### *Claim Rejections - 35 USC § 103*

Claims 1-2, 5-10 and 13-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nishikawa et al. (US 6685998) in view of Meyer et al. (US 6773766; which is a continuation of 09/857216 filed on Jun. 22, 2001).

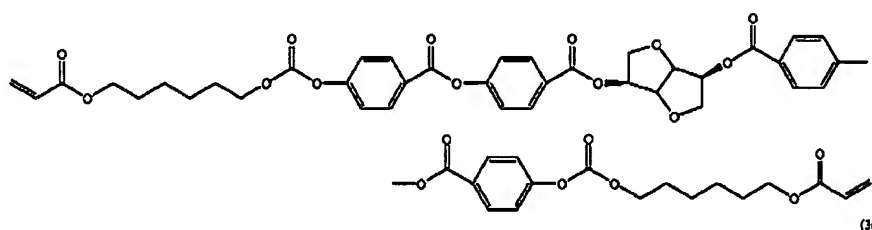
With respect to claims 1 and 10 (Amended): Nishikawa et al. disclose in Figure 1(a) a polarizing plate comprising: a polarizing layer (element 2b) and an optically compensating layer (elements 3b and 4b), wherein the optically compensating layer comprises an optically compensating A-layer (element 3b) comprising a polymer film (Column 5, lines 8-9), and an optically compensating B-layer (element 4b) comprising a cholesteric liquid crystal layer (Column 3, lines 51-59) and further disclose in Column 5 lines 11-15 that the optically compensating A-layer meets requirements indicated by the formulae:  $20nm \leq Re \leq 300nm$  and  $1.2 \leq Rth/Re$ , where  $Re = (n_x - n_y) * d$  and  $Rth = (n_x - n_z) * d$ .

Nishikawa et al. fail to specifically disclose that the cholesteric liquid crystal layer is formed from a liquid crystal monomer represented by the chemical formula:

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and a polymerizable chiral dopant represented by the chemical formula:



However, Meyer et al. disclose in Column 11 line 65 through Column 18, wherein a cholesteric liquid crystal layer comprises of liquid crystal monomer and a polymerizable chiral dopant having the chemical formula shown above.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to construct a polarizing plate as taught by Nishikawa et al. wherein the cholesteric liquid crystal layer comprises of liquid crystal monomer and a polymerizable chiral dopant having the chemical formula as taught by Meyer et al., since Meyer et al. teach that such cholesteric liquid crystal layer exhibits excellent optical properties such as wide range of light reflection property (Column 12, lines 36-42).

As to claim 2: Nishikawa et al. further disclose in Column 4 lines 1-21, Column 5 lines 57-61 and Column 6 lines 3-14 that since the slow axis of B-layer is perpendicular to the rubbing direction of A-layer; the rubbing direction of A-layer is parallel to the slow axis of A-layer; and that the absorption axis of the polarizing layer is parallel to the slow axis of B-layer, therefore, the absorption axis of the polarizing layer is perpendicular (forming a 90° angle, which is not smaller than 85° and not larger than 95°) to the slow axis of the optically compensating A-layer.

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As to claims 5 and 13: Nishikawa et al. further disclose in Column 5, lines 38-45) that the polarizing plate with optical compensation function further comprising an alignment layer and a base (wherein the optical compensation A-layer is of a base and an alignment layer).

As to claims 6 and 14: Nishikawa et al. further disclose in Column 5 lines 25-31 that the polymer film is a stretched film.

As to claim 7: Nishikawa et al. further disclose in Column 62 lines 40-44 and Column 63 lines 54-62 that a pressure-sensitive adhesive layer is arranged on one of the surfaces of the polarizing plate.

As to claims 8-9 and 15: Nishikawa et al. disclose in Figure 1(a) an image display comprising a liquid crystal cell (element 6) and a polarizing plate (element 1b) arranged on at least one surface of the liquid crystal cell.

Claims 4 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nishikawa et al. (US 6685998) and Meyer et al. (US 6773766) in view of Suzuki et al. (US 6580483).

Nishikawa et al. and Meyer et al. disclose all of the limitations set forth in the previous claims, but fail to specifically disclose that a selectively reflection wavelength range of the cholesteric liquid crystal layer is in a range not larger than 350nm.

However, Suzuki et al. teach in Column 1 lines 66-67 and Column 2 lines 1-4 the use of a cholesteric liquid crystal film wherein a selectively reflection wavelength range of the film is between 30nm to 150nm, which is not larger than 350nm.

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Therefore, it would have been obvious at the time the invention was made to construct a polarizing plate as taught by Nishikawa et al. and Meyer et al. wherein the cholesteric liquid crystal film has the property as taught by Suzuki et al., since Suzuki et al. teach that having the specific selectively reflection wavelength range helps to improve visibility of a display device (Column 1, lines 61-61).

### ***Response to Arguments***

Applicant's arguments with respect to all claims have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Wen-Ying P. Chen whose telephone number is (571)272-8444. The examiner can normally be reached on 8:00-5:00 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert H. Kim can be reached on (571)272-2293. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Wen-Ying P Chen  
Examiner  
Art Unit 2871

WPC  
3/14/06

  
ANDREW SCHECHTER  
PRIMARY EXAMINER